

MESSAGE NO: 7180211 MESSAGE DATE: 06/29/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-901

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/17/2006 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING ON CERTAIN LINED PAPER PRODUCTS FROM CHINA FOR GEM GROUP INC.'S ENCOMPASS JOURNAL BOOK, THE NOTABLE JOURNAL BOOK & PROJECT MANAGER KIT (A-570-901)

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CASES: A - 570 - 901

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PERIOD COVERED: 04 17 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING ON CERTAIN LINED PAPER PRODUCTS FROM CHINA FOR GEM GROUP INC.'S ENCOMPASS JOURNAL BOOK, THE NOTABLE JOURNAL BOOK & PROJECT MANAGER KIT (A-570-901)

1. ON 10/19/2006, IN RESPONSE TO A REQUEST BY GEM GROUP, INCORPORATED ("GEM GROUP"), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT GEM GROUP'S ENCOMPASS JOURNAL BOOK, THE NOTABLE JOURNAL BOOK, AND THE PROJECT MANAGER'S KIT ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN LINED PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-901).

2. THE COMMERCE DEPARTMENT DETERMINED THAT THE ENCOMPASS JOURNAL BOOK AND THE NOTABLE JOURNAL BOOK ARE BOTH OUTSIDE THE SCOPE OF THE ORDER BECAUSE THEIR DIMENSIONS ARE SMALLER THAN THE MINIMUM DIMENSIONS REQUIRED FOR INCLUSION IN THE SCOPE OF THIS ORDER. THE PROJECT MANAGER'S KIT IS CLASSIFIED UNDER HTSUS 4202.12.80, WHICH INCLUDES ATTACHE CASES, BRIEFCASES, SCHOOL SATCHELS, OCCUPATIONAL LUGGAGE CASES, ETC. SUCH PRODUCTS ARE NOT COVERED BY THE SCOPE OF THE ORDER. FURTHER THE PAD OF LINED PAPER INCLUDED WITH THE PROJECT MANAGER'S KIT HAS A BACKING BUT DOES NOT HAVE A FRONT COVER, DOES NOT HAVE DRILLED OR PUNCHED HOLES, AND SHARES SOME CHARACTERISTICS WITH AN ENGINEERING QUADRILLE PAD, OR ENGINEERING COMPUTATION PAD. THEREFORE, THIS TYPE OF PAD MEETS THE DESCRIPTION OF MERCHANDISE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THE ORDER. THEREFORE, GEM GROUP'S ENCOMPASS JOURNAL BOOK, NOTABLE JOURNAL BOOK, AND PROJECT MANAGER'S KIT ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN LINED PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 10/19/2006, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/17/2006 OF GEM GROUP'S ENCOMPASS JOURNAL BOOK, NOTABLE JOURNAL BOOK, AND PROJECT MANAGER'S KIT LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE GEM GROUP'S ENCOMPASS JOURNAL BOOK, NOTABLE JOURNAL BOOK, AND PROJECT MANAGER'S KIT LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF

LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF CERTAIN LINED PAPER PRODUCTS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CERTAIN LINED PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O8:MAW).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party